

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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JOHNNY THORNBURN,

Plaintiff,

ORDER

CV 16-3839 (DRH) (AKT)

- against -

DOOR PRO AMERICA, INC.,

Defendant.

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A. KATHLEEN TOMLINSON, Magistrate Judge:

The Court has reviewed Defendant's letter motion [DE 33] seeking an adjournment of the Telephone Conference scheduled for November 30, 2016 as well as Plaintiff's opposition [DE 34] in regards to the same. Notwithstanding the frustration exhibited in Plaintiff's opposition papers, the Court points out that Defendant's counsel is an officer of the Court and has a duty of candor to the tribunal. As such, the Court credits counsel's representations as truthful on their face and will not otherwise require Defendant's counsel to provide further substantiation that he is otherwise engaged in other court appearances on the scheduled conference date in this matter. As such, Defendant's motion is GRANTED. The Telephone Conference shall be rescheduled to December 21, 2016 at 2 p.m. Defendant's counsel shall initiate the telephone call to Chambers once all parties are on the line.

SO ORDERED.

Dated: Central Islip, New York
November 22, 2016

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge